

REMARKS

Claims 1-10 are pending in the application, with Claims 1, 2 and 7 being the independent claims.

It is gratefully acknowledged that Claims 2-10 are allowed.

Claim 1 is rejected under 35 U.S.C § 102(e) as being anticipated by Zatezalo et al. (U.S. Pat. App. Pub. No.2004/0001997).

Claim 1 is amended. No new subject matter is presented.

Regarding the rejection of Claim 1 under 35 U.S.C § 102(e), the Examiner states that Zatezalo et al. anticipates each and every limitation of the claim. Amended Claim 1 teaches, in part, a battery pack locking device for a portable wireless terminal, the device comprising a first locking section; a button section integrally formed with the first locking section; a second locking section interacting with the first locking section; and a support section for supporting the battery pack to allow the battery pack to be locked and lock-released, wherein when the button section is pushed, *the button section and the first locking section move downward toward the lower casing frame in a first direction perpendicular to the lower casing frame* so that the battery pack is lock-released and elastically lifted away from the lower casing frame in the first direction.

Zatezalo et al. discloses a battery pack locking device 20 for a portable wireless terminal 10, the device 20 comprising a first locking section 76; a button section 78 integrally formed with the first locking section 76; a second locking section 66 interacting with the first locking section 76; and a support section 30 for supporting the battery pack 18 to allow the battery pack 18 to be locked and lock-released from lower casing frame 32 (Figures 2 and 3, paragraphs [0022], [0031], [0033], [0034] and [0036]). However, when the button section 78 is pushed, the structure of the device 20 in Zatezalo et al. dictates that the button section 78 pivots “about a transverse axis of rotation” (paragraphs [0031] and [0034]) and the first locking section 76 moves longitudinally, i.e. parallel with lower casing frame 32 (paragraphs [0022] and [0034]).

Appl No.: 10/629,297
Art Unit: 1745

Docket No. 678-1050 (P10325)
Customer No. 66547

By contrast, when the button section 210 of the present invention is pushed, both the button section 210 and the first locking section 211 move downward toward the lower casing frame 102 in a first direction *perpendicular* to the lower casing frame (FIGs. 3, 4 and 14). Zatezalo et al. fails to disclose the limitation of *the button section and the first locking section move downward toward the lower casing frame in a first direction perpendicular to the lower casing frame* taught by Amended Claim 1.

Clearly, Amended Claim 1 structurally differs from Zatezalo et al.

In view of the preceding amendments and remarks, it is respectfully submitted that all pending claims herein, namely Claims 1-10, are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant

The Farrell Law Firm
333 Earle Ovington Boulevard
Suite 701
Uniondale, New York 11553
Tel 516-228-3565
Fax 516-228-8475

PJF/DGL/mk